

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

IN RE:)	In Proceedings
)	Under Chapter 13
SHANNON L WIMBERLY)	
RACHEL R. WIMBERLY,)	
Debtors.)	BK 12-40805
)	

CONSENTUAL MOTION TO MODIFY AUTOMATIC STAY

Now Come the Debtors, Shannon Wimberly and Rachel Wimberly, by and through their attorneys, the Bankruptcy Clinic, P.C., and respectfully move for an Order Modifying the Automatic Stay. In support thereof, the debtors state:

1. The debtors' case was filed on June 26, 2012.
2. Debtors wish to divorce but believe it is in their mutual best interest to remain in their current chapter 13 case.
3. Debtors desire to begin divorce proceeding and have been advised that an Order granting a lift of the automatic stay must be entered before the State Court may proceed to conclude the marital proceeding.
4. The secured debts are their homestead, 2008 Honda Fit, and 2010 Toyota Corolla. The homestead is being paid outside the chapter 13 plan while the 2008 Honda Fit and 2010 Toyota Corolla are listed to be paid through the debtors' plan.

WHEREFORE, the debtors respectfully pray that the automatic stay be modified for the limited purpose of distributing assets and assigning marital debts.

Respectfully Submitted,

By: /s/ Lyndon G. Willms
Bankruptcy Clinic, P.C.
Attorney for the Debtors
206 West DeYoung Street
Marion, IL 62959
(618) 993-1300

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing instrument was served upon the parties set forth below by causing same to be mailed in a properly addressed envelope, postage prepaid, from Carbondale, Illinois, on the 18th day of February, 2013 unless a copy was provided electronically by the Bankruptcy Court.

Bob Kearney
Chapter 13 Trustee
PO Box 998
Benton, IL 62812

United States Trustee
Becker Building, Room 1100
401 Main Street
Peoria, IL 61602

Shannon Wimberly
13127 Brushy Creek Rd.
Carrier Mills, IL 62917

Rachel Wimberly
13127 Brushy Creek Rd.
Carrier Mills, IL 62917

By: /s/Cheri Weeks
Bankruptcy Clinic, P.C.